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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,729	08/17/2000	Axel Hertwig	PHD-99.107	4820

7590 07/24/2003

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EXAMINER

PHAN, RAYMOND NGAN

ART UNIT PAPER NUMBER

2181

DATE MAILED: 07/24/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/640,729

Applicant(s)

HERTWIG ET AL.

Examiner

Raymond Phan

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 17-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This action is responsive to the following communications: amendment filed on May 21, 2003.
2. This application has been examined. Claims 17-28 are pending.

#### ***Specification***

3. The title of the invention is accepted.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 17-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nakagawa et al. (US No. 6,353,863).

In regard to claims 17, 25, Nakagawa et al. disclose an electronic product, comprising a first processor coupled to the instruction cache and to the data cache (see figure 4, col. 8, line 32 through col. 9, line 14); a first bus coupled to the instruction cache and to the data cache (see figure 4, col. 8, line 32 through col. 9,

line 14); a first memory coupled to the first bus (see figure 4, col. 8, line 32 through col. 9, line 14); a second processor coupled to the second bus (see figure 4, col. 8, line 32 through col. 9, line 14); a first bridge coupled to the first bus and to the second bus, the first bus bridge providing a path for transferring data between the first memory and the second processor (see figure 4, col. 8, line 32 through col. 9, line 14); a second memory coupled to the third bus (see figure 4, col. 8, line 32 through col. 9, line 14); a second bus bridge coupled to the second bus and the third bus (see figure 4, col. 8, line 32 through col. 9, line 14); the third bus providing data pathway within the first processor; the second bus bridge providing a path for data transferring between the second memory and the third bus of the of the first processor (see figure 4, col. 8, line 32 through col. 9, line 14); a DMA controller coupled to the second bus configured to manage the transfer of data between the second memory and the second bus bridge (see col. 8, lines 48-67); wherein the first processor is configured to operate at a first frequency, the second processor is configured to operate at the second frequency and the first frequency is greater than the second frequency (see figure 4; col. 8, lines 32-50), wherein the first bus and second bus are dissimilar (see figure 4, col. 8, line 32 through col. 9, line 14); wherein the electronic product is the mobile radiotelephony controller (see col. 9, lines 26-42).

In regard to claims 18, 28, Nakagawa et al. disclose wherein the first processor and second process are both disposed together on a single IC (see figure 6).

In regard to claim 19, Nakagawa et al. disclose wherein the first processor is the DSP 400 and the second processor is the core processor 413 (see figure 4; col. 8, lines 32-50).

In regard to claim 20, Nakagawa et al. disclose wherein the memory is connected to the first processor via two cache memories 404, 405, one used for access to the memory for reading a program and the other of which is used for access to the memory for reading out data (see figure 4).

In regard to claims 21, 23, 27, Nakagawa et al. disclose the DSP chip formed by DSP and memory has a Harvard architecture in that it includes separate X data bus 411 and Y data bus 412 (see figure 14, col. 17, lines 28-65).

In regard to claim 22, Nakagawa et al. disclose wherein the DMA controller and the second bus are both disposed on a single IC (see col. 11, line 44 through col. 12, line 14).

In regard to claims 24, 26, Nakagawa et al disclose ROM disposed on the single IC and coupled to the second bus (see figure 7).

### ***Response to Amendment***

6. Applicant's arguments with respect to new claims 17-28 have been considered but new claims 17-28 are deemed to be moot in view of the new grounds of rejection.

### ***Conclusion***

7. All claims are rejected.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RP

**Raymond Phan**  
7/22/03

*Paul R. Myers*

PAUL R. MYERS  
PRIMARY EXAMINER